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THE SITUATION IN BOSNIA AND HERZEGOVINA

Letter dated 29 December 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

In connection with resolution 47/121 concerning the situation in Bosnia and Herzegovina, adopted by the General Assembly on 18 December 1992, I have the honour to draw Your Excellency's attention to the following position of the Federal Republic of Yugoslavia.

The resolution was received with great regret in the Federal Republic of Yugoslavia. By portraying the situation in Bosnia and Herzegovina as a foreign aggression, the authors of the resolution have ignored the causes for the outbreak of the civil war in that Republic and have consistently distorted the facts.

The heart of the matter is that the war in Bosnia and Herzegovina is an ethnic, religious and civil war. It is being waged by the three indigenous ethnic communities - the Muslims, Serbs and Croats. The Federal Republic of Yugoslavia cannot therefore be held responsible for its outbreak or continuation since it is not a party to the civil war. It cannot be condemned for the violation of the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina, as was claimed in operative paragraph 2 of the resolution.

To give credence to its claims that the Federal Republic of Yugoslavia is not involved in the war in Bosnia and Herzegovina, the Government of Yugoslavia called upon the United Nations, as early as last July, to place observers on the border between the Federal Republic of Yugoslavia and Bosnia and Herzegovina and at all airfields in the former Socialist Federal Republic of Yugoslavia.

The Federal Republic ot Yugoslavia has no territorial claims against Bosnia and Herzegovina. That has been clearly stated in the Declaration of the Federal Assembly of 27 April 1992 1/ and by the Government of Yugoslavia on numerous occasions.

The resolution calls upon all elements of the Yugoslav People's Army still in the territory of Bosnia and Herzegovina to be withdrawn immediately. The authors of the resolution have evidently ignored the fact, which has been confirmed by the Secretary-General and the European Community observers, that as of May 1992 the last member of the Yugoslav Army previously stationed in Bosnia and Herzegovina as part of the Socialist Federal Republic of Yugoslavia was withdrawn from the territory of Bosnia and Herzegovina.

The resolution has failed to point out clearly and condemn the real aggressor. The aggressor in Bosnia and Herzegovina can only be the Republic of Croatia. Its regular and well-armed forces, numbering between 40 and 60,000 troops, are at present fighting in the territory of Bosnia and Herzegovina. The assertion that they are operating in accord with the authority of the Government of the Republic of Bosnia and Herzegovina is contrary to the relevant resolutions of the Security Council, in particular resolutions 752 (1992) and 757 (1992), which the Croatian authorities have consistently ignored. The relevant resolutions of the Security Council have repeatedly demanded that elements of the Croatian Army now in Bosnia and Herzegovina must be withdrawn. In his latest report on the situation in Bosnia and Herzegovina (A/47/747), the Secretary-General concluded that the provisions of those resolutions have not been fulfilled since "several brigades of the Croatian Army are also reliably reported to be actively engaged in the conflict".

Horrible crimes have been committed by all warring parties in Bosnia and Herzegovina. The resolution has, however, only singled out the Serbian and Montenegrin side in Bosnia for atrocities such as ethnic cleansing and running of detention camps. The fact that the Muslim and Croatian sides are committing horrendous crimes against the Serbs in Bosnia and Herzegovina, and are still holding prisoners in detention camps, is completely disregarded.

Py urging the Security Council to consider measures on an urgent basis, in the event that Serbian and Montenegrin forces fail to comply fully with all relevant resolutions of the Security Council, to authorize Member States to use all necessary means, the authors of the resolution have gone unfortunately above and beyond the prerogatives of the General Assembly. Such an approach is also discriminatory since the relevant resolutions of the Security Council have persistently called upon all sides to the conflict to stop the fighting immediately. The call for the use of force is in contravention of the positions of the Secretary-General and the Co-Chairmen of the Conference on Yugoslavia, who have repeatedly stated that it would be wrong to give the military option priority over the political solution.

The repeated appeals for the use of force in Bosnia and Herzegovina can only have tragic consequences leading to the widening and escallation of the conflict in the region.

The call in the resolution to exempt Bosnia and Herzegovina from the arms embargo imposed under Security Council resolution 713 (1991) is undoubtedly in favour of those who strive for bringing even more weapons in the region that is already replete with arms and which would mean dangerously adding oil to the flames.

We cannot but warn with profound concern of the unforeseeable harmful effects of all possible violations of the arms embargo and the evermore evident prospects of this conflict turning into a full-scale religious war.

The Government of the Federal Republic of Yugoslavia, which is fully committed to restoring peace and is making every effort and using all its influence to bring about an end to the war in Bosnia and Herzegovina, wishes once again to reiterate the following positions and principles which have obviously largely been ignored by the authors of the resolution:

- The Government has fully accepted all the decisions and principles of the London Conference and considers that their consistent implementation is the only way to stop this senseless and bloody war;

- The comprehensive solution to the Yugoslav crisis should be sought by peaceful means with the assistance of the United Nations, the European Community and the Conference on Security and Cooperation in Europe;

- With respect to Bosnia and Herzegovina a peaceful solution should be sought on the basis of full agreement of its three constituent peoples - Muslims, Serbs and Croats;

- The inviolability of existing borders between former republics of the Socialist Federal Republic of Yugoslavia except their changes brought about by peaceful arrangements;

- Observance of internationally recognized human rights and fundamental freedoms standards;

- Condemnation and cessation of the practice of ethnic cleansing by whomever it is committed and wherever it has occurred;

- Provision and unhampered urgent delivery of humanitarian assistance to Bosnia and Herzegovina;

- Compliance with all relevant resolutions of the United Nations Security Council.

I should be grateful if you would the text of the present letter circulated as an official document of the General Assembly under agenda item 143.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

Notes

1/ S/23877, annex.